

REMARKS

Rejection under Sec. 112 is obviated by amendment

The rejection of claim 49 under Sec. 112 appears improper since the MPEP makes it clear that relative terms are not indefinite if one of ordinary skill in the art would be reasonably apprised of the scope of the invention. However, merely for expediency, applicants make the above amendment in claim 49, line 3, to obviate the issue.

Rejection under Sec. 102 is obviated by amendment

A rejection for anticipation under 35 U.S.C. Sec. 102 requires that the reference disclose every element and limitation of the claim. Contrary to that standard, the Newington reference lacks disclosure of the claimed combination including an electrically conductive whip-like contact structure comprising one or more metal conductors including metal strands bonded to the surface of a flexible rod by an adhesive at interstitial locations between the metal strands. It is not agreed that any embodiment of radio antennae in the reference can be reasonably said to be an electrical contact structure. In addition, the specified elements of the claimed contact structure are not present in the reference. The Examiner refers to "metal braid" as disclosed at col. 2, lines 22-23, of the reference as bonded to the rod surface by adhesive bonding, referring to col. 2, line 60. That is a mistaken reading of the reference. In fact what it discloses is that the braid is (per lines 20-25) a "close-fitting sleeve" surrounding the rod 4 that is "electrically connected either to one electrode of the capacitor 6 or 7 or to the ferrule 5, for example by

soldering, to provide the radio frequency path." See, also, column 2, lines 45-51, regarding sleeve 14.

The subject of col. 2, line 60, regarding adhesive is plainly not the above-mentioned braid but rather the "two electrodes 16 and 17 which are of copper tape or foil and which lie flat on the surface of the fiberglass rod 4 and secured thereto by suitable adhesive."

Despite applicants' belief in the impropriety of the rejection, they elect for expediency to have the application proceed to allowance with the above amendment of claim 48 to incorporate the subject matter of former claim 2.

An error in Claim 28 is corrected

The joint referred to in claim 28 is the joint introduced in claim 27, so it is believed the requested amendment is appropriate.

Comments on Examiner's Statement of Reasons for Allowance

The Examiner's Reasons for Allowance include limited excerpts from some allowed claims. There should be no implication the claims must be construed by the Reasons for Allowance. Each claim, including both independent and dependent claims, should be given the broadest reasonable interpretation of its individual content taken as a whole without need to refer to the stated Reasons for Allowance.


Summary and Conclusion

The claims now are 5-12, 15, 17-20 and 22-54. Claims 11, 12, 15, 17-20, 22-47 and 52-54 were previously allowed. The rejection of claim 49 is overcome by

amendment. The rejection of claim 48 and the objection to claims 2, 5-10, 50 and 51 is overcome by amendment of claim 48 and cancellation of claim 2.

Applicants present the foregoing to avoid any remaining issues and to expedite allowance and issuance. In the event the Examiner feels that the application, as amended, cannot be immediately allowed, it is requested she call applicants' attorney to help clarify any perceived issues before giving a final action.

Respectfully submitted,



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